



CWSF
COUNCIL OF WESTERN
STATE FORESTERS

Legislative & Policy Update – November 2020

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The [Council of Western State Foresters \(CWSF\) Legislative & Policy Update](#) provides information on issues of importance to CWSF. Policy and legislative updates are found on the CWSF webpage [here](#). Please note that the items highlighted in these updates are only a selection of the issues CWSF and the Western Forestry Leadership Coalition (WFLC) are monitoring. Keep an eye out for our monthly newsletter that will provide summaries on other key legislative and programmatic issues. If you have not yet subscribed, you can do so [here](#). For more information, please contact Danielle Okst, Associate Policy and Grants Director at dokst@westernforesters.org.

November began with the election to determine the final composition of the 117th Congress, pending a run-off race in Georgia, and ended with the 116th Congress beginning their Thanksgiving recess without coming to agreement on a COVID-19 relief package. On November 10, the Senate Appropriations Committee released their 12 fiscal year (FY) 2021 appropriations bills. Top appropriators have agreed to a framework for an omnibus spending package for the FY 2021 appropriations this week, in the face of the approaching December 11 expiration of the Continuing Resolution (CR) currently funding the federal government. The USDA Forest Service (Forest Service) has released the proposed manual for the Landscape Scale Restoration (LSR) competitive grant program for public comment.

COVID-19 Relief Package Efforts

Senate Majority Leader Mitch McConnell (R-KY) took over negotiations on behalf of Republicans from Secretary Steven Mnuchin this month. Senator McConnell has been urging negotiations to move closer to the \$500 billion relief package previously proposed by Senate Republicans, while House Speaker Nancy Pelosi (D-CA) and Senate Democratic Leader Charles Schumer (D-NY) have insisted their starting point is the \$2.2 trillion passed by the House. With pressure increasing to pass a fifth coronavirus relief bill during the lame-duck session, it looks likely that Democrats will have to come down from that number before President-Elect Joe Biden takes office.

The House appropriations bill included about \$233 billion in emergency spending for COVID-19. The draft Senate bills discussed below do not contain any provisions for relief. Senate Republicans have expressed disapproval on combining annual appropriations with pandemic relief. It is yet to be seen whether negotiations may result in an agreement on both matters.

FY 2021 Appropriations

The [Senate Appropriations Committee released](#) the draft of their appropriations bills for FY 2021 this month. [The Interior, Environment and Related Agencies \(Interior\) appropriations bill](#) included the new budget structure, part of the Forest Service's budget modernization effort (history on this directive can be found in the previous [policy update](#)). The budget restructure includes a Forest Service Operations Account to replace the previous cost pool method. The new appropriation covers the administrative costs, such as facilities maintenance and leases, information technology, and organizational services, which were previously pooled

with money from each program. Additionally, this new structure includes salaries and expenses as a separate line item within each treasury account. Each budget line item now represents the programmatic allocation for that program, with salaries and expenses and Operations Account totals removed. As such, the numbers released by Senate appropriators vary from previous years and the version passed by the House in July.

The Senate Interior bill allocates \$7.5 billion for the Forest Service, approximately \$73.5 million more than the Administration's Budget Proposal. The Committee recommends \$245.4 million for State and Private Forestry and \$1.78 billion for the National Forest System account. State Fire Assistance would receive \$72.5 million and Volunteer Fire Assistance \$16.6 million, while Wildland Fire Management receives \$4.015B including the fire suppression adjustment under the terms of the fire funding fix. \$239.1 million is allocated for preparedness, \$1.01 billion for suppression, \$724.4 million for Wildland Fire Management salaries and expenses, and \$2.04 billion is available should the suppression funds be exhausted. This draft bill also contains language directing the Forest Service to create a Deputy Chief for Fire and Aviation to administer the Wildland Fire Management appropriation under the new budget structure. Please see the [Interior bill Explanatory Statement](#) for additional details.

Appropriations staff for both the House and Senate have continued to negotiate on top line numbers, reaching an agreement on Tuesday, right before the Thanksgiving break. Even with this framework agreement, little time remains to write and pass a bipartisan omnibus package before the current stopgap funding is set to expire on December 11.

LSR Public Comment Period

Following the codification of the LSR grant program in section 8102 of the Agricultural Improvement Act of 2018 (2018 Farm Bill), the Forest Service continues their work towards implementation by publishing a notice for public comment on the proposed manual for the program within the [Federal Register](#). The Western Forestry Leadership Coalition administers this competitive [grant process for the western states](#), along with the other regional associations for their respective regions. The programmatic changes seen within the 2018 Farm Bill began to be executed through the National Guidance for FY 2020 and FY 2021. This proposed directive will set the direction for this grant program going forward and, once finalized, represents the final step in implementing the 2018 Farm Bill.

Some of the high-level changes from the 2018 Farm Bill seen in this manual are:

- Defining rural as “any area other than an urbanized area, such as a city or town, that has a population of greater than 50,000 inhabitants according to the latest U.S. Census” for the purpose of defining eligible lands;
- Incorporating the definitions of non-industrial private forest land and state forest land; and
- Expanding eligible applicants to state forestry agencies or an appropriate state agency, a unit of local government, an Indian Tribe, a non-profit organization (501(c)(3)), a university, or an Alaska Native Corporation.

The public comment period is open until December 16, 2020 and the relevant documents and comment submission process can be found [here](#).